IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

WRIT PETITION NO. 728 OF 2006 (M/S)

Dharmendra Kumar son of Late Tara Chand, R/o Habibpur Kuri, Pargana Jawalapur, Tehsil Lakser, District Hardwar.
……..Petitioners.

Versus

1. Civil Judge Junior Division, Lakser.
2. Daya Chand son of Late Het Ram.
3. Khadku son of Late Bishamber.
4. Janki son of Munshi. ….Respondents.

Sri Kishore Kumar, Advocate for the petitioner.
C.S.C. for respondent No. 1.

Dated: June, 15, 2006
HON'BLE RAJESH TANDON, J.

By the present writ petition, the petitioner has prayed for a writ of mandamus Commanding the Civil Judge (Junior Division), Lakser, respondent No. 1 to decide the original suit No. 349 of 1999 expeditiously pending in his court.

Briefly stated, the petitioner has filed suit No. 349 of 1999 Dharmendra Vs. Daya Chand and others for permanent injunction. The said suit is till pending before the court of respondent No. 1. It relates to the year 1999.

The only grievance of the petitioner is that he is 66 years of age. Due to his old age the petitioner is suffering from heart problem. In the said suit written statement has already been filed but suit is still pending for disposal before the respondent No. 1.

In view of aforesaid facts and circumstances, the Civil Judge (Junior Division), Lakser is directed to disposed of the original suit No. 349 of 1999 within a period of four months from the date of filing certified copy of the order.

Subject to aforesaid, the writ petition is disposed of. No order as to costs.

(Rajesh Tandon, J.)

15.06.2006
Negi.